

NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources
STATUTORY AUTHORITY: 12 M.R.S. §§6172, 6192, 6193 & 6194
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BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.05(I) Area No. 28-A, Port Clyde and the St. George Islands, St. George and Cushing, previously amended on July 16, 2009. This amendment is an administrative change to the title, from Area No. 28-A to Area No. 27-C. There are no classification changes in this rule. All existing pollution and red tide/PSP closures remain in effect. As authorized by 12 M.R.S. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.05(I).

RULE TITLE AND SUBJECT: DMR Chapter 95.05(I) Area No. 28-A, Port Clyde and the St. George Islands, St. George and Cushing, previously amended on July 16, 2009, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.05(I) Area No. 27-C ~~28-A~~, Port Clyde and the St. George Islands, St. George and Cushing

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores flats and waters of the following areas:

- A. Hupper Island, St. George: inside of a line drawn southwest from the tip of Hupper Point, St George, to the red nun navigational aide #2 at "Channel Rock" and continuing southwest to red spindle #10 at "Old Horse Ledge" and then continuing northeast to the southern tip of Marshall Point, Port Clyde.
- B. Caldwell Island: beginning at the unnamed point on the southwest end of the island and continuing along the shore in an easterly direction around the southern end of the island 500 feet east of the house on the southern end of the island.
- C. McGee and Barter Islands: north of a line drawn from the southwestern most point on McGee Island to the unnamed point on the western shore of Barter Island AND west of a line drawn from the most southeastern point on McGee Island to the most northeastern point on Barter Island.

EFFECTIVE DATE: July 18, 2011

EFFECTIVE TIME: 9:30 AM

AGENCY CONTACT PERSON: Darcie Couture, Department of Marine Resources,
194 McKown Point Road, W. Boothbay Harbor, Maine 04575
http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm
EMAIL: Darcie.Couture@maine.gov



Maine Department of Marine Resources

Pollution Area No. 27-C

Port Clyde and St. George Islands (St. George and Cushing)



7/18/11

